

**THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

MATTHEW N. FULTON, DDS, P.C.,  
individually and as the representative of  
a class of similarly-situated persons,

Plaintiff,

v.

ENCLARITY, INC., LEXISNEXIS  
RISK SOLUTIONS INC.,  
LEXISNEXIS RISK SOLUTIONS GA  
INC., LEXISNEXIS RISK  
SOLUTIONS FL INC., and JOHN  
DOES 1-12,

Defendants.

Case No. 16-CV-13777

Chief District Judge Denise Page Hood  
Magistrate Judge R. Steven Whalen

**PUTATIVE CLASS ACTION**

**JOINT STIPULATION AND ORDER REGARDING EXPERT  
DISCOVERY SCHEDULE**

Plaintiff Matthew N. Fulton, DDS. P.C. (“Plaintiff”) and Defendants  
Enclarity, Inc., LexisNexis Risk Solutions Inc., LexisNexis Risk Solutions GA Inc.  
and LexisNexis Risk Solutions FL Inc. (collectively, “Defendants”) jointly file this  
stipulation to extend certain deadlines set in the Court’s July 7, 2021 Order.

WHEREAS, on July 7, 2021, the Court extended the deadline for  
Defendants’ expert disclosures to November 15, 2021 (ECF No. 104);

WHEREAS, on July 7, 2021, the Court extended the deadline to complete  
expert discovery to December 15, 2021 (*id.*);

WHEREAS, Defendants took the deposition of Lee Howard, Plaintiff's expert witness, on November 9, 2021;

WHEREAS, in order to allow sufficient time for Defendants to address and/or account for Mr. Howard's deposition testimony in Defendants' expert disclosures, the parties have conferred and agreed to stipulate to a short extension of the deadlines for Defendants' expert disclosures and the cutoff date for expert discovery;

WHEREAS, the parties dispute whether Plaintiff is entitled to any additional deposition testimony in this case, as Defendants' position is that Plaintiff has exceeded the deposition limit in Federal Rule of Civil Procedure 30 and as memorialized in the parties' Rule 26 Report (ECF No. 42), and that Plaintiff previously agreed not to seek any additional deposition testimony in this case as part of the parties' agreement to allow Plaintiff to take its eleventh deposition;

WHEREAS, notwithstanding Defendants' objections to the additional depositions sought by Plaintiff, in the interest of moving this case forward toward resolution on the merits, Defendants have agreed to offer their expert(s) for deposition(s) during the time period of December 14 to December 20, 2021,

WHEREAS, Plaintiff's counsel has agreed it will be available for any such deposition(s) on any date(s) offered between December 14 and December 20, 2021; and

WHEREAS, the extensions requested in this stipulation will not otherwise affect the case schedule;

IT IS HEREBY STIPULATED AND AGREED that Defendants' November 15, 2021 expert disclosures deadline shall be extended to November 19, 2021, and that the December 15, 2021 deadline to complete expert discovery shall be extended to December 20, 2021.

IT IS SO STIPULATED.

*So Ordered.*

Dated: November 17, 2021

s/Denise Page Hood  
United States District Judge

Dated: November 10, 2021

/s/ Jonathan B. Piper

Phillip A. Bock  
Jonathan B. Piper  
Bock Hatch & Oppenheim, LLC  
134 N. La Salle St., Ste. 1000  
Chicago, IL 60602  
(312) 658-5500  
(312) 658-5555 (fax)  
service@classlawyers.com

Counsel for Plaintiff

/s/ Tiffany Cheung

Tiffany Cheung (CA SBN 211497)  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, California 94105-2482  
(415) 268-7000 (Tel)  
(415) 268-7522 (Fax) tcheung@mofo.com

/s/ Amy Sabbota Gottlieb

Amy Sabbota Gottlieb (P67020)  
Dickinson Wright PLLC  
2600 West Big Beaver Rd.  
Suite 300  
Troy, MI 48084  
248-433-7286  
agottlieb@dickinsonwright.com

Counsel for Defendants